

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Joanna Elsie Smith,	)	Case No. 1:19-cr-160
	)	
Defendants.	)	

On September 22, 2020, the Court issued an order releasing Defendant to the Summit Prairie Recovery Center (“Summit”) for treatment. (Doc. No. 246). One of the conditions of release imposed by the Court was the requirement that Defendant immediately surrender to the United States Marshal upon her discharge from Summit.

On December 7, 2020, the Pretrial Service Office contacted the Court to advise: (1) Hope Manor, a sober living facility in Bismarck, had a bed available for defendant; and (2) Summit was willing to successfully discharge defendant and transport her to Hope Manor. Consequently, on its own motion, the Court issued an order modifying Defendant’s release conditions as follows:

Upon her discharge from Summit, defendant shall be transported by Summit to Hope Manor, where she shall reside. She shall comply with all of Hope Manor’s rules and not change this residence without the prior authorization of the supervising Pretrial Services Officer. Defendant shall comply with any further counseling or treatment recommendations if so directed by the Pretrial Services officer. All other conditions of release previously imposed by the court remain in effect. Summit shall transport defendant to Hope Manor as soon as practicable for the two facilities.

(Doc. No. 282).

On January 4, 2021, the Pretrial Service Office advised the Court that Defendant was unable to secure a placement at Hope Manor as anticipated and is still at Summit. (Doc. No. 293). Given

that a placement at Hope Manor is no longer an option for Defendant, the Court vacates its December 7, 2020, order amending her release conditions and reinstates the release conditions it imposed upon her in its September 22, 2020, order. Defendant remain at Summit until she is discharged from their program. Upon her discharge from Summit, defendant shall immediately surrender to the Marshal's office in Bismarck with the understanding that she shall be remanded back into custody. In the interim, if defendant is able secure a placement at transitional living facility, she should file an appropriate motion with the Court.

**IT IS SO ORDERED.**

Dated this 4th day of January, 2021.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court